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Filing date: **09/26/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91199427
Party	Plaintiff Pet Valu Canada, Inc.
Correspondence Address	ROBERTA JACOBS MEADWAY ECKERT SEAMANS CHERIN & MELLOTT LLC TWO LIBERTY PLACE , 50 SOUTH 16TH STREET 22ND FLOOR PHILADELPHIA, PA 19102 UNITED STATES rjacobsmeadway@eckertseamans.com, dwilfong@eckertseamans.com
Submission	Other Motions/Papers
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Signature	/Roberta Jacobs-Meadway/
Date	09/26/2011
Attachments	REPLY TO OPP TO REQUEST RESUMPTION 91199427.PDF (3 pages) (72536 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PET VALU CANADA INC.

Opposer,

v.

J. RETTENMAIER & SÖHNE GmbH + Co.KG

Applicant.

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Opposition No. 91199427

**REPLY TO OPPOSITION TO REQUEST FOR
RESUMPTION OF PROCEEDINGS**

Applicant has objected to the resumption of the proceedings, citing as its only reason that the parties are not located in the U.S.

That is a true statement.

That neither party is located in the U.S. is not an excuse for further delay.

The history of the settlement discussions in this proceeding does not suggest that any negotiated resolution is likely.

On June 8, 2011, Applicant's counsel made a proposal to Opposer's counsel.

Opposer rejected that proposal on June 20, 2011 and made a counter-proposal.

Applicant rejected that proposal on August 17, 2011 and repeated the proposal Opposer had previously rejected.

Opposer noted its prior rejection of the proposal and asked for any other proposal Applicant was prepared to make.


Since that time, Applicant has made no new proposal.

There is no proposal under consideration by either party.

There is no reason for this matter not to proceed.

Dated: September 26, 2011

Respectfully submitted,

By: 
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the attached
Reply to Opposition to Request for Resumption of Proceedings was served on counsel for
Applicant on the dated listed below via electronic mail and U.S. Mail:

John F. Zanghi, Esq.
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Dated: 9-26-11

By: Mary T. Boesenhofer
Mary T. Boesenhofer